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AUG 22 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

August 22, 1994

OUR FILE NO.
1142-101-65

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

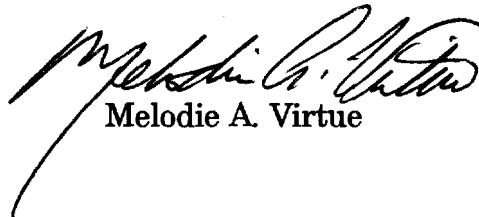
Re: Petition for Rulemaking to
Amend FM Table of Allotments,
Leavenworth, East Wenatchee,
and Othello, Washington

Dear Mr. Caton:

Transmitted herewith on behalf of Ronald A. Murray d/b/a Murray Broadcasting is an original and four copies of a Petition for Rulemaking to amend the FM Table of Allotments, 47 C.F.R. §73.202(b), at Leavenworth, East Wenatchee, and Othello, Washington.

Please refer any questions regarding this matter directly to the undersigned.

Sincerely yours,



Melodie A. Virtue

MAV/blr

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Before The
Federal Communications Commission

Washington, D.C. 20554

RECEIVED

AUG 22 1994

In The Matter Of)

)
 Amendment of Section 73.202(b)
 Table of Allotments,
 FM Broadcast Stations.
 (Leavenworth, East Wenatchee,
 and Othello, Washington))

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF SECRETARY

Docket No. _____
 RM- _____

TO: Mass Media Bureau,
 Allocations Branch

Petition for Rulemaking

Ronald A. Murray, d/b/a Murray Broadcasting ("Murray"), by counsel and pursuant to Sections 1.401 and 1.420 of the Commission's Rules, hereby respectfully petitions the Commission to amend Section 73.202(b) of the Rules to reflect the following:

<u>Community of License</u>	<u>Existing</u>	<u>Proposed</u>
Leavenworth, WA	249A	266A
East Wenatchee, WA	266A	249A
Othello, WA	248C1	248C3

On February 3, 1994, Murray was issued a construction permit to build KLVH, a new FM station on Channel 249A serving Leavenworth, Washington. A copy of the construction permit, FCC File No. BPH-930423MF, is attached as Exhibit 1. Murray's ability to conduct program tests is conditioned on KYSN(FM), East Wenatchee, Washington, commencing program tests on Channel 266A and moving off of Channel 249A.

KYSN's Channel 249A at East Wenatchee was amended to Channel 266A by *Report and Order (Othello, East Wenatchee, and Cashmere, Washington, and Wallace, Idaho)*, 6 FCC Rcd 6476(MMB 1991), which required KYSN to change channels once it was assured it would receive reimbursement for its costs in changing channels. According to the *Report and Order*, the party responsible for KYSN's reimbursement is P-N-P Broadcasting, Inc., permittee of KZLN-FM, Othello, Washington, which had requested a channel upgrade from Channel 248C3 to Channel 248C1. KZLN-FM has not reimbursed KYSN. See Exhibit 2. Indeed, the Chief of the FM Branch wrote to KZLN-FM on June 10, 1993, advising KZLN-FM to file an application for Class C1 facilities or risk being downgraded to Class C3. See Exhibit 3. The Commission's records show no response to the June 10, 1993 letter and no application to upgrade KZLN-FM to Channel 248C1. Hence, not having been reimbursed by KZLN-FM, KYSN continues to operate on Channel 249A, East Wenatchee.

On the assumption that the channel changes would occur as ordered in 1991 at Othello and East Wenatchee, the FCC, in a separate proceeding a year and one-half later, allotted Channel 249A to Leavenworth, Washington. *Report and Order (Leavenworth, WA)*, 8 FCC Rcd. 850 (MMB 1993). Murray applied for and was granted a construction permit. The Leavenworth *Order* referenced in a footnote its dependence on the initiation of KYSN's program tests on Channel 266A at East Wenatchee, although it nowhere indicated that Murray would

have to reimburse KYSN for the channel change effected by KZLN-FM's upgrade in Othello.

In sum, the Commission's orders amending the Table of FM Allotments and granting a construction permit for Leavenworth cannot be implemented because KZLN-FM, Othello, has not taken any action to reimburse KYSN in East Wenatchee. Murray, therefore, is at an impasse and not able to provide first local service on Channel 249A to the residents of Leavenworth, Washington.

The need of the community of Leavenworth to have its own on-air service has become acute with the devastation wrought by the forest fires. When the fires were raging, radio broadcast service would have been critical for relaying emergency information. And, while the town of Leavenworth remains unharmed, the community's main industry, tourism, was devastated by the widely-publicized fires. See Exhibit 4. Thus, it is essential that Leavenworth be able to broadcast its news, services, and attractions through radio in order to assist it with rebuilding its economy as soon as possible.

Recognizing that the regulatory impasse Murray faces was not one of his own making, the FCC staff in the FM Branch suggested a way to resolve the problem of getting Murray's station on the air. See Exhibit 5. Simply stated, the Commission should substitute Channel 266A for Channel 249A at Leavenworth, change KYSN at East Wenatchee back to Channel 249A on which it currently operates anyway, and downgrade the Othello allotment back to a Class C3 since KZLN-FM has taken no steps over the years to implement its requested upgrade. The attached

Spacing Study (Exhibit 6) supports the proposed substitution of Channel 266A for Channel 249A at Leavenworth and shows that all of the spacing requirements for the proposed changes are met.

Murray hereby asserts its intention to apply for a channel change to implement the Commission's substitution of Channel 266A for Channel 249A at Leavenworth, Washington.

WHEREFORE, the premises considered, Murray Broadcasting respectfully requests that the Commission initiate a rulemaking proceeding to amend the FM Table of Allotments as specified above.

Respectfully submitted,

MURRAY BROADCASTING

By


Melodie A. Virtue

Its Attorney

HALEY, BADER & POTTS
Suite 900
4350 North Fairfax Drive
Arlington, VA 22203-1633
703/841-0606

August 22, 1994

United States of America



FEDERAL COMMUNICATIONS COMMISSION

FM BROADCAST STATION CONSTRUCTION PERMIT

ARLINGTON, VA

Official Mailing Address:

MURRAY BROADCASTING
104 JOSEPH STREET
LEAVENWORTH, WA 98826

Authorizing Official:

Dale E. Bickel

Supervisory Engineer, FM Branch
Audio Services Division
Mass Media Bureau

Grant Date:

9 FEB 1994

Call sign: 930423MF

This permit expires 3:00 am.
local time 18 months after
grant date specified above

Permit File No.: BPH-930423MF

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules.

This permit shall be automatically forfeited if the station is not ready for operation within the time specified (date of expiration) or within such further time as the Commission may allow, unless completion of the station is prevented by causes not under the control of the permittee. See Sections 73.3598, 73.3599 and 73.3534 of the Commission's Rules.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Name of permittee:

Ronald A. Murray d/b/a MURRAY BROADCASTING

Station Location:

WA-LEAVENWORTH

Frequency (MHz): 97.7

Channel: 249

Class: A

Call sign: 930423MF

Permit No.: BPH-930423MF

Hours of Operation: Unlimited

Transmitter location (address or description):

1.1 KM EAST OF CITY LIMITS OF LEAVENWORTH, CHELAN COUNTY,
WASHINGTON.

Transmitter: Type accepted. See Sections 73.1660, 73.1665 and 73.1670
of the Commission's Rules.

Transmitter output power: As required to achieve authorized ERP.

Antenna type: (directional or non-directional): Non-directional

Antenna coordinates: North Latitude: 47 35 32.0
West Longitude: 120 38 35.0

	Horizontally Polarized Antenna	Vertically Polarized Antenna
Effective radiated power in the horizontal plane (kW) :	6.0	6.0
Height of radiation center above ground (meters) :	15.0	15.0
Height of radiation center above mean sea level (meters) :	576.0	576.0
Height of radiation center above average terrain (meters) :	-266.0	-266.0
Overall height of antenna structure above ground (including obstruction lighting, if any) :	21.0 meters	

Obstruction marking and lighting specifications for antenna
structure:

It is to be expressly understood that the issuance of these specifications
is in no way to be considered as precluding additional or modified marking
or lighting as may hereafter be required under the provisions of Section
303(q) of the Communications Act of 1934, as amended.

None Required

Special operating conditions or restrictions:

1. The permittee/licensee must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency radiation in excess of FCC guidelines.

2. Permittee has specified use of a Shively 6813-4 antenna to demonstrate compliance with the ANSI radiofrequency radiation limit. If any other type or size of antenna is to be used with the facilities authorized herein, THE AUTOMATIC PROGRAM TEST PROVISIONS of 47 CFR SECTION 73.1620 WILL NOT APPLY. In that case, a FORMAL REQUEST FOR PROGRAM TEST AUTHORITY must be filed in conjunction with FCC Form 302-FM (application for license) BEFORE program tests will be authorized. This request should be made at least 10 days prior to the date on which program tests are desired to commence. The request must include a revised radiofrequency radiation showing to demonstrate continued compliance with the ANSI limit.

+

Documentation demonstrating compliance with the ANSI radiofrequency radiation limit may be submitted in advance of the filing of FCC Form 302-FM. The Commission's staff will review it for compliance and respond by letter stating whether automatic PTA has been reinstated.

+

3. Program test operations pursuant to this construction permit shall not commence until KYSN, East Wenatchee, Washington commences program test operations on Channel 266. Nor shall a license be granted to cover this construction permit until a license has been granted for KYSN on Channel 266.



Sunbrook Communications

N. 1212 Washington, Suite 124 • Spokane, WA 99201 • (509) 326-9500 • FAX (509) 326-1560

March 1, 1994
Sunny and 45°

Mr. Ron Murray
Murray Broadcasting
P. O. Box 288
Leavenworth, WA. 98826

Dear Ron:

Thank you for your call, this morning, and sharing your vision for providing radio service to the Leavenworth area. I share your excitement at providing the town with its first radio station. You're embarking on an exciting journey and I wish you well.

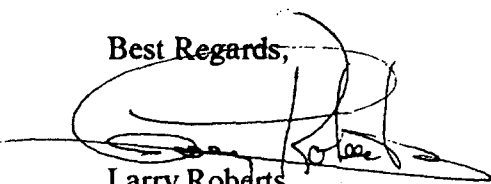
Sunbrook Wenatchee, L.P., as licensee of KYSN (FM) radio, is willing to change frequency to that approved by the F.C.C. as quickly as possible, upon receipt of \$40,000.00. Such cash will be used 100% to reimburse us, as licensee, for our costs associated with the move to the new frequency. Such costs will include, but not be limited to:

- The purchase of a new antenna, tuned to the new frequency
- The changes required in the existing transmitter, with new crystal, tuning, etc.
- Changes in stationery, building signs, forms, etc. to reflect the new frequency
- A promotional campaign to introduce the new frequency and inform the public that KYSN will thereafter be heard at the new frequency. This is especially critical since you've said that your station will likely be received within the city of Wenatchee. The many years of promotion and goodwill which KYSN has worked hard to build up will need to be transferred away from the 98 frequency and moved to the 101 frequency. There are literally tens of thousands of bumper stickers which say "98 FM KYSN". We promote our station heavily throughout the year, and even next week we're sending out a 4-color direct-mail piece to over 20,000 homes. The huge letters at the top of the front page say, "98 FM KYSN."

We will do our best to accomodate your needs, Ron, but as I said over the telephone, we would prefer never to change frequencies, but we *will* do so when these expenses are reimbursed.

For now, I consider the ball to be in your court.

Best Regards,


Larry Roberts
President

X143
The Best Variety of Music

KGRZ
AM 1450

K99 FM
KAAK

KXGF
AM 1400

94.1 KRRX
Mountain Home of Rock & Roll

KBLG
NEWSRADI 91

99.3
JAZZ

Y-95
THE MUSIC FM

KXTL
AM 1370

KAAK
98.5 FM

KYSN
Country

99 KXA
Good Times • Great Music

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

10 JUN 1993

IN REPLY REFER TO:
1800B3-LR

Certified Mail--Return Receipt Requested

Duane J. Polich, President
Radio Station KZLN(FM)
P-N-P Broadcasting, Inc.
P.O. Box 2869
Othello, WA 99344-2869

In re: KZLN(FM); Othello, WA
P-N-P Broadcasting, Inc.
Upgrade to Class C1

Dear Mr. Polich:

Pursuant to the Report and Order in MM Docket 91-114, 6 FCC Rcd 6476, 56 Fed. Reg. 58315 (1991), released November 4, 1991 and effective December 23, 1991, the Commission modified the allotment for KZLN to permit that station to specify Class C1 facilities on the present channel [248]. Channel 248C3 was deleted from the Table of Allotments (47 C.F.R. § 73.202), and Channel 248C1 was substituted therein. KZLN was afforded a period of 90 days from the December 23, 1991 effective date to file a construction permit application on FCC Form 301 for Class C1 facilities. Although the old Class C3 allotment was deleted, KZLN was permitted to continue operating on the old channel pending the grant of a Class C1 construction permit and the implementation of Class C1 operation.¹

As of this date, no construction permit application on FCC Form 301 for Class C1 facilities has been received.² A Class C1 station, being larger than a Class C3

¹ By letter dated March 26, 1992 KZLN informed the Commission that it was in the process of gathering information and preparing an application to implement the Class C1 upgrade. Although such letters indicate KZLN's continuing interest in upgrading that station, KZLN is cautioned that such letters are informational only and do not exempt KZLN from the possible consequences of continued delay in filing its Form 301 application, as explained in this letter.

² As a Class C1 station, KZLN is short-spaced to a construction permit (File No. BPH-890206MB) for KZQB(FM), Davenport, WA and the Davenport, WA allotment under 47 C.F.R. § 73.207 at its presently licensed transmitter site. The contour overlap rule (47 C.F.R. § 73.215) may allow greater flexibility in choosing a transmitter site in the event that the spacing rule (47 C.F.R. § 73.207) cannot be met. Alternatively, as a Class C2 station, KZLN is fully spaced under 47 C.F.R. § 73.207 at its presently licensed site. If KZLN wishes to downgrade to a Class C2 facility via Form 301, KZLN would need to

station, requires greater protection from encroachment by other stations. Thus, KZLN is presently receiving the benefit of Class C1 protection while only providing the service of a Class C3 station. Failure to implement Class C1 facilities in a timely manner constitutes "warehousing" of unused spectrum to the preclusion of other potential users seeking to provide additional broadcast service to the public. Thus, your unfilled Class C1 allotment could result in your being made a party to an allocation rulemaking seeking to downgrade the Othello, WA Channel 248 allotment.

Please note that, if you intend to apply for Class C1 facilities, you must submit a construction permit application on FCC Form 301. If this application is filed before any conflicting rulemaking is initiated, the application will take precedence. If filed later, the application will be subject to the outcome of the rulemaking proceeding. Report and Order, Docket 91-348, 7 FCC Rcd 4917, 57 Fed. Reg. 36018, released August 4, 1992. If you do not intend to apply for Class C1 facilities and wish to remain a Class C3 station (with the facilities unchanged from those presently authorized), you must submit an amendment to pending license application BLH-920224KD (filed to cover permit BMPH-900917IH for Class C3 operation) to include a statement specifically requesting that the Othello, WA Channel 248 allotment be DOWNGRADED to Class C3 status.³ Once downgraded, any future attempt to upgrade the Othello, WA Channel 248 allotment will require a new Petition for Rulemaking. Forms 301, 302-FM, 155 (the Fee Form to accompany the Form 301), and the Mass Media Services Fee Filing Guide can all be obtained from the Commission at (202)-632-3676. It is suggested that a copy of this letter be attached to any filing to facilitate processing.

Sincerely,

Dennis Williams

Dennis Williams
Chief, FM Branch
Audio Services Division
Mass Media Bureau

specify an effective radiated power (ERP) between 4.7 kW and 21 kW, assuming that the antenna height above average terrain (HAAT) remains 232 meters, and provide a specific request to downgrade the Channel 248 allotment.

³ The grant of license application BLH-920224KD for Class C3 facilities would automatically downgrade the allotment to Class C3, pursuant to the Report and Order in MM Docket 88-118, 4 FCC Rcd 2413, 54 Fed. Reg. 11953 (1989).



THE WENATCHEE WORLD

Published in the apple capital of the world and the buckle of the power belt of the great Northwest

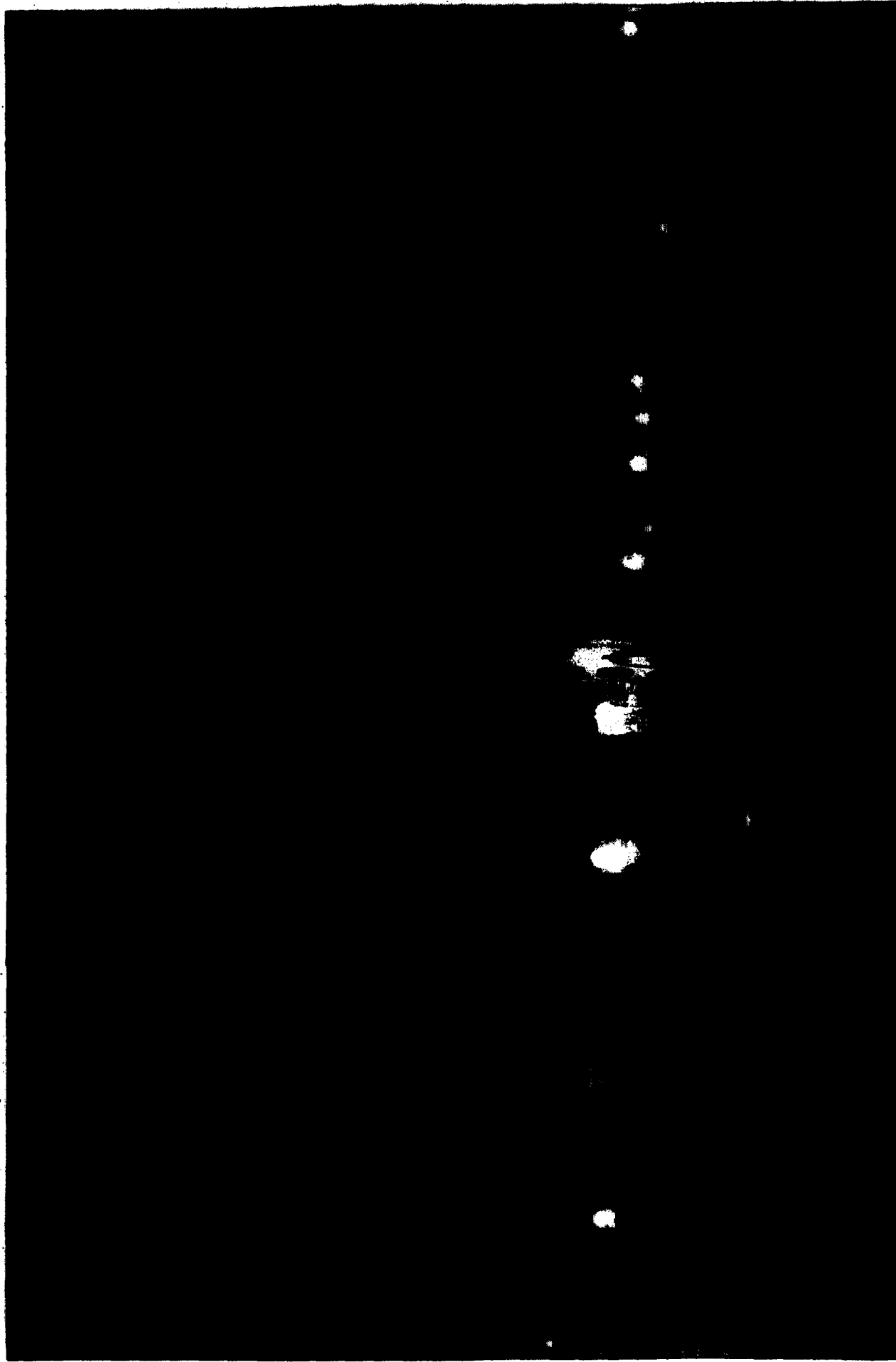
THURSDAY August 4 1994

HOME EDITION

Fires storm NCW



Nightwatch



Spot fires on the slope west of downtown Leavenworth punctuate the smoky twilight Wednesday. Word photo Ken Cam

Spot fires on the slope west of downtown Leavenworth punctuate the smoky twilight Wednesday.

Bavaria takes a breath

By DAN WHEAT
World staff writer

LEAVENWORTH — The foot of Icicle Ridge — that picturesque steep mountainside at the mouth of Tumwater Canyon — glowed as if in torch light Wednesday evening.

People sat on their front porches in various parts of town watching what

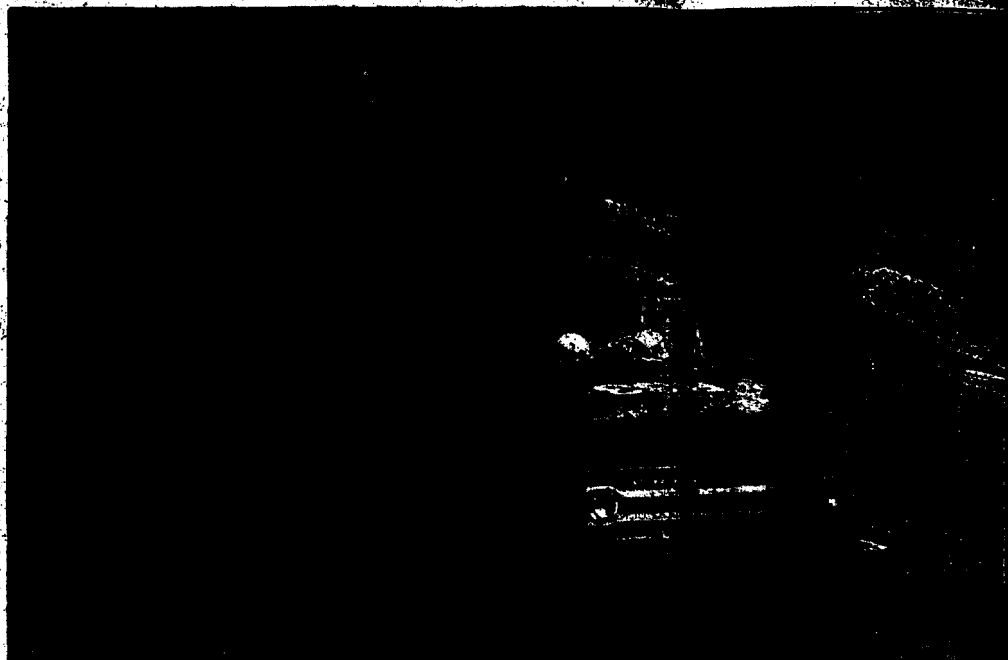
**Complete fire coverage
on Pages 13-16**

looked like dozens of campfires or coals strewn by some giant all along the mountainside.

Residents of Icicle Road, directly below the ridge, watched from their yards. Firefighters had saved each house threatened along the road but still stood guard with trucks at several. Lights burned in some homes. Others were dark, their occupants having fled.

Helicopters flew to and fro past Icicle Ridge, dropping retardant on Tumwater Mountain where spot fires moved steadily uphill after jumping across Highway 2 at the mouth of the canyon the day before.

Occasionally, there were loud booms from blasting a new firebreak in steep terrain from the Hatchery Creek Fire to the northeast side of Tumwater Mountain. Firefighters hoped a hand-dug fire line would hold along the east



World photo/Mike Bonnickson

A Spokane fire crew catches a few moments of rest Wednesday after hauling 200-foot sections of hose to a backburn up First Creek above Lake Chelan.

side of the mountain above Leavenworth. Streets on the western edge of town are backup lines.

In the twilight, children swam in the city pool downtown.

Conditions on the Rat Creek and Hatchery Creek fires significantly improved Wednesday with no major runs, but fire officials warned that the fires still pack plenty of danger, especially if winds or lightning increase.

Main points of concern were Tumwater Mountain at Leavenworth and the west side of Sugarloaf Peak above Plain, where the Tyee Fire from the Entiat Valley crested and was burning in slow streaks down the Chumstick side. In fact, the Tyee Fire could be seen Wednesday night from the Leavenworth base camp off Icicle

Please see RAT CREEK, Page 16

Rat Creek

From Page 1

Road. The Rat Creek Fire was more active up the Icicle and Eightmile Creek valleys, continuing to endanger homes.

Greg Thayer, U.S. Forest Service spokesman, said with good fire lines holding above Sprimberg and Freund canyons, the danger wasn't so much the Hatchery Creek Fire moving up the Chumstick to join the Tyee Fire as it was the Tyee Fire coming down to join the Hatchery.

Firefighters continued to build lines around Rat and Hatchery Creek fires. Bulldozers established a line southwest from Mountain Home Road to the rocks of the Stuart Range on the Rat Creek Fire, to cut the fire's southeasterly advance toward homes at Blewett Pass and Valley HI.

This morning, the Rat Creek fire was listed at 16,030 acres burned and 20 percent contained. The Hatchery Creek Fire was at 6,220 acres burned and 30 percent contained. In the Lower Valley zone, between Blewett Pass Highway and Brender Canyon, 5,500 acres had burned and the fire was 10 percent contained. There were 1,875 firefighters on the three fires.

Spokesman Chuck St. John said the Lower Valley zone had no major runs Wednesday and, except for small slop-overs of a few acres, was staying within a fire trail that had been completed around it. He said 67 lightning strikes in the county Wednesday afternoon caused no new significant fires.

The Round Mountain Fire, about 3,500 acres south of Lake Wenatchee, and several Alpine Lakes Wilderness fires amounting to about 1,500 acres were 80 percent contained. Full containment was predicted for today. A spokesman said there should be little danger of the fires spreading after Sunday.

Firefighter injuries for Rat Creek, Hatchery Creek and Lower Valley had increased from eight on Tuesday to 18 on Wednesday. A spokesman said only three required removal from work.

While some Leavenworth residents remained nervous, others there and up the Chumstick expressed optimism Wednesday evening.

Terry Loss, a photographer living in a log house a quarter-mile up Sprimberg Canyon, said his family fled Saturday night but returned Sunday night. He said most of the 11 to 12 other families in the canyon were home — three were gone.

Although his home is only one or two miles from the fire, Loss was relaxed. He said the line is holding.

"I honestly felt from the very beginning it wouldn't get here," Loss said. "We've had friends from all over the country call, and they're praying for us."

"We pray for two things — that the fire doesn't get here and for the safety of firefighters. When you think about it, I can build another house and I can buy another camera."

But Loss was ready to leave. He rolled his light green 1950

Chevrolet panel truck out of his garage. He opened the back to display files, cameras, negatives, finished work — virtually his whole studio.

"It's called 'have studio, will travel,'" he said with a grin.

Heading north on the Chumstick, it was obvious livestock had been evacuated from some ranches. A station wagon going south carried furniture strapped on top.

In Plain, Dave Obalteck, transportation supervisor for Cascade School District, said he had a good view of flames cresting Sugarloaf Peak Tuesday evening from his home on River Road.

"Today it's a lot farther down," he said.

Streams of smoke could be seen from Plain heading down the Chumstick side of Sugarloaf and the ridge to the north. Helicopters were busy with retardant drops.

Obalteck said his family's important papers, photo albums and clothes had already been moved to a friend's house in Leavenworth.

Bill Gibbs, owner of Just Plain Grocery, said a lot of people left town when notice was given Monday to prepare to evacuate.

"Then we were in no real immediate danger," he said. "Now it's more dangerous. It's impressive. It was an awesome display of fire on the ridge (Tuesday night). Now it's down this side."

But asked if he were going to leave, he replied, "Heck no, not 'til my underwear is on fire."

He said he felt safe with the half-dozen fire trucks and crews standing by to protect the town.

The Squirrel Tree restaurant and the store at Cole's Corner were closed. The Stevens Pass Highway remained closed from the mouth of Tumwater Canyon to Stevens Pass. But a trip with a Forest Service guide showed numerous places where the Hatchery Creek Fire had

burned down to the Wenatchee River and crossed it. The fire had jumped, leaving some trees untouched. The Alps cafe was closed but still guarded by firefighters.

Rocks that had fallen on Highway 2 in Tumwater Canyon had been cleared, but Thayer said loose rock will be a problem on the canyon's mountainsides for months.

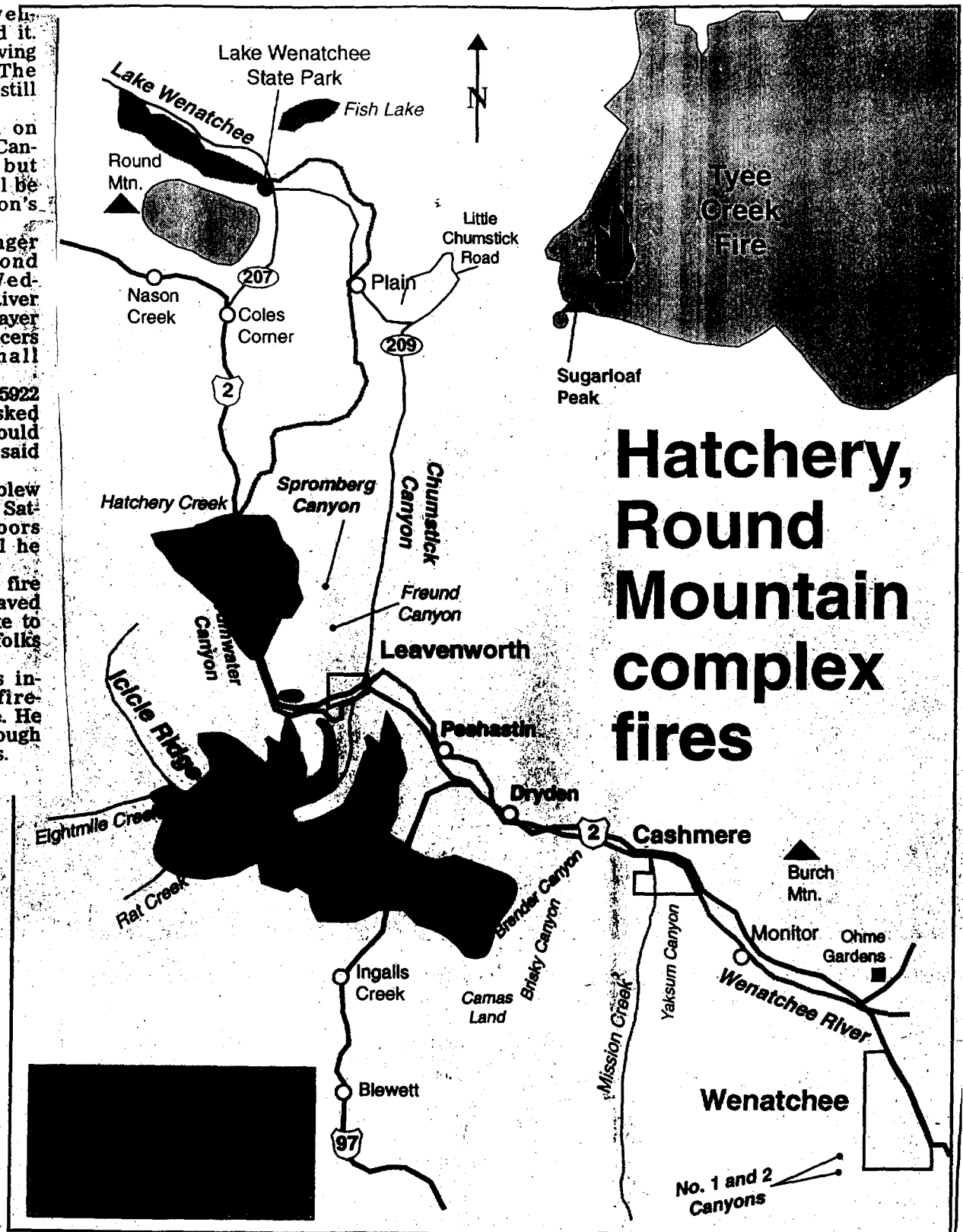
The Leavenworth Ranger District hosted its second community meeting Wednesday evening at Icicle River Middle School. There Thayer and other information officers updated people in small groups.

Mel and Fay Isenminger, 5922 Old Blewett Highway, asked Thayer how soon they could return to their home. He said at least a few days.

Isenminger said the fire blew through his neighborhood Saturday and some neighbors lost their homes, but all he lost was a garbage can.

"Gresham and Portland fire crews were there and saved it," he said. "Boy, I'd like to shake their hands! My folks live in Gresham."

Isenminger said it was incredible to him what firefighters were able to save. He said he couldn't say enough good about the firefighters.



Hatchery, Round Mountain complex fires

Dark cloud hangs over tourism

■ Smoke displaces visitors in NCW towns.

By STEPHEN MAHER
World business writer

CHELAN — If you flipped on the television set this week, you caught fire tornadoes whipping through the Wenatchee National Forest and heard broadcasters say the Marines are on the way.

If you were walking around the streets of Chelan, you spotted tourists hurriedly packing up their belongings and getting the heck out of Dodge.

And if you were in Seattle and still planning on a weekend getaway to Leavenworth, you had second thoughts after hearing of highway closures and fires everywhere and of officials telling visitors to stay away.

Tourism in Chelan County took a big dive this week.

"It's one thing to hear about it. It's another matter to drive around and see empty motel parking lots," said Mark Urdahl, manager of the Port of Chelan County, who toured Chelan and Leavenworth on Friday. "If it weren't for the media, there'd be nobody up there."

"But it's not the kind of publicity you want," Urdahl said.

It is, however, the media coverage Chelan County has received.



World photo/Kelly Gillin

With only one customer at her restaurant Friday evening, Allison Radach had time to check out the flaming hillsides around Leavenworth.

“

We know we're going to be here for quite a while. When the fire gets this big, even the mop-up is a huge job.

— George Buckman
Forest Service official

”

“

It's still very much like a sleeping giant in the First Creek area. I think we'll probably be successful (in protecting homes) in the Chelan Butte and Bear Mountain area, but our biggest concern is First Creek.

— Al Murphy
fire commander

”

Cable News Network (CNN) broadcast live this week from Chelan — with smoke-filled skies and a barely-visible lake as a backdrop. The Seattle Post-Intelligencer ran a large photograph of smoke billowing near Leavenworth and a headline that read, “Hundreds flee giant fire — Shores of Lake Chelan threatened.” On Friday, NBC reported that if the fire reached the shores of Lake Chelan, the pristine lake would be polluted for years to come.

Seattle television stations warned people not to come to Chelan County. Some said the entire city of Chelan had been evacuated.

Locally, KPQ radio tagged the situation, “The Great Fire of '94.” The Wenatchee World ran banner headlines all week with a black bar stating, “Fires storm

NCW.”

Although no estimates are available yet, it's apparent the county will lose a big chunk of tourism business this summer — a time of the year that makes up for the leaner winter months, tourism officials said. At one Chelan recreational vehicle park, the owner wrote \$10,000 worth of cancellation checks in one day this week. Occupancy at motels dropped below the 50-percent level beginning on Wednesday. In the Lake Wenatchee area, recreational cabins are vacant and roads closed.

“It's taken the minimum of a week out of our prime season and probably a lot longer,” said Loni Rahm, executive director of the Lake Chelan Chamber of Commerce.

“Certainly, it's going to hurt us,” said Laura Jobin, executive director of the Leavenworth Chamber of Commerce.

A bigger question is how long it will take for tourists to come back. In the minds of many, the entire county is in ashes.

“The media has had a more negative impact on tourism than the fire itself,” Rahm said. “To paint the impression we've just

burnt to the ground is more devastating to us than what actually is happening.

“My mother called this morning (from Portland, Ore.), and she was absolutely amazed that we were still here,” she said.

Once the fires are out and things return to normal, Urdahl said he plans to ask the Port of Chelan County's Tourism Action Group to spend money on a promotional campaign, informing people in Western Washington that the county is open for business again.

Jobin said she anticipates the Leavenworth chamber, Quest for Economic Development Inc. and cities and towns chipping in. Rahm said she hopes the Lake Chelan chamber and perhaps the city of Chelan will help out. Rahm said she's also hopeful some of the same media in town to cover the fires will return in the weeks and months ahead to report on how things have bounced back.

“We're going to build a war chest, and we're going to get in there just as fast as we can,” Jobin said. “We're going to do a very quick blitz. We have a lot of friends in the industry who'll help us. We'll call on those friends. And we'll make some (advertising) buys. Chelan County has too much to offer.”

But even Jobin and other tourism officials admit the task ahead may be daunting.

For one, local resources are limited. The port's TAG group, for instance, has only about \$5,100 available, although there's the possibility other funds can be drummed up. Jobin said she would like to raise a total of \$20,000 to \$30,000 for the effort.

There's also little that can be done until the fires are out and tourism officials can assess the damage.

“There's been a tremendous amount of publicity at all levels showing the devastating effects of this,” Urdahl said. “There's going to be the perception that a lot of our scenic beauties — if not destroyed — have been severely damaged.

“The message going across the state right now and even the country is that Chelan County is a place to avoid,” he said. “We need to show we can rebound quickly. If we don't do anything, the perception gets shaped, and then we have to live with it.”

Fire and tourism: Have warnings gone too far?

Have officials and the media gone too far in warning tourists about wildfires in Chelan County, to the detriment of business?

That's the question being asked this week by Phone Forum, a feature in The Wenatchee World's Business section.

Phone Forum offers readers a chance to comment on timely issues involving the community and nation. It also helps keep the business viewpoint from getting lost in

the shuffle between government agencies and special interest groups.

Comments from Phone Forum will be transcribed and run in Sunday's Business section.

To respond to a question, call The Wenatchee World's InfoLine at 884-3800, then enter 2065. The calls are free in the Wenatchee area and can be made any time.

Please leave your name and a phone number where you can be reached. We hope you take this opportunity to express your views.

This week's question: Have officials and the media gone too far in warning tourists about wildfires in Chelan County, to the detriment of business?

City of Leavenworth

Post Office Box 287
Leavenworth, KS 66042-0287

Leavenworth, KS 66042-0287
TAX: 508/548-5275



August 8, 1994

MEMO

To Whom It May Concern

From: City of Leavenworth

Re: Closure of Streets During Fire Emergency

Because of the immediate threat of fire to downtown buildings in Leavenworth during the recent forest fire emergency, the City of Leavenworth barricaded and closed Front Street between 9th Street on the east and SR2 at Gustav's on the west. Also, 8th Street between Front Street and Commercial Street was barricaded and closed, as were all the downtown alleys and parking lots. Fire hoses were connected to hydrants, hoses were charged, and fire trucks were deployed at major intersections. This action was taken the night of July 29 (Friday night). Front Street was reopened to traffic on Monday, July 31, and 8th Street was reopened on Wednesday, August 3, with parking restricted on the east side of 8th Street, so that the big snorkel truck could make the turn onto the street. Parking restrictions were lifted on Monday, August 8.

In addition, the fire closed all traffic on SR97 (Blewett Pass Highway) from Saturday, July 30, to Friday, August 5. Chumstick Highway was closed on Saturday, July 30, and reopened on Monday, August 8. SR2 was closed on Wednesday, July 27. The Tumwater Canyon section of SR2 remains closed at this time.

These emergency actions, which were taken in the interest of public safety and as a direct result of the disastrous forest fires burning during this period of time, meant that normal commerce could not occur. While the city did not order any businesses closed, the necessary closure of streets and highways prevented customers from reaching places of business, thereby resulting in significant losses of business income.

Sincerely,

Michael J. Cecka
Michael J. Cecka
City Administrator

State Insurance Comm.
Hot line #

1-800-560-6900

"The Bavarian Village"

City of Leavenworth

Post Office Box 2007
Phone 508/548-5275



Phone 508/548-5425

August 4, 1994

To: City Business Owners
From: Rich Cole, Codes Administrator
Re: Open/Closed Signage

Due to the fires that have recently slowed our tourism to a very slow crawl (and so much more) and since so many of the local businesses have closed their doors during this crisis, the city will be allowing businesses to display "Open" signs in larger sizes than is normally allowed.

In turn, we will require you to follow the following simple stipulations:

- 1) The signage shall be neat and clean,
- 2) "Sandwich-board" signs shall not be used,
- 3) If a sign is installed as a projecting sign, a minimum of seven (7) feet of headroom height shall be maintained from the walking surface.
- 4) These signs will need to be removed by August 15, 1994, or when otherwise notified.

If you have any further questions, please contact me at City Hall at 548-5275.

Sincerely,

Rich Cole
Codes Administrator



Leavenworth Chamber of Commerce • P.O. Box 327 • Leavenworth, WA 98826 • (509) 548-5807

BAVARIAN BULLETIN

The Leavenworth Chamber of Commerce Board of Directors and The Leavenworth Lodging Association formed a marketing/advertising committee August 1.

This committee has laid plans for a extensive program to get us back to business as quickly as possible.

We will be requesting financial assistance from the city and are seeking your assistance as well. Please watch for the Leavenworth Phoenix Fund notice and responded as soon as you can to our coordinated recovery plan.

Our committee is prepared to take full advantage of the immediate media/news generated public awareness of our area, but we are also developing long term programs for increased and extended visitations.

We are supporting the Port of Chelan County Tourism Action Groups effort in hiring "Communication Northwest Inc. This firm was hired by the State of Alaska after the Exxon Valdez oil spill. A Regional Business Recovery Plan for Chelan County is in progress.

The Immediate Concern to visitors are; health and safety in coming to our area. All efforts are being made to reassure the public that we are "Open for Business". (Remind them that we do have restricted areas and that we have some smoke & haze) however we, as a business community are operating normally and the comfort and safety of all concerned in always a top priority.

We need to clean up and freshen our appearance and Welcome our visitors and guests.

The Leavenworth International Accordion Celebration is on target for next weekend, August 11, 12, 13 & 14. All of the competitors are looking forward to being here and playing some wonderful music for us. Let's give them a warm welcome for this 1st Annual Accordion Celebration!!!

Laura

Laura Jobin
Executive Director

Federal Communications Commission
Washington, D.C. 20554

17 AUG 1994

In reply refer to:
1800B3-DEB

Ms. Melody A. Virtue
Haley, Bader & Potts
Suite 900
4350 North Fairfax Drive
Arlington, VA 22203-1603

In re: NEW; Leavenworth, WA
Murray Broadcasting
BPH-930423MF

Dear Ms. Virtue:

As you will recall, back in April we met, along with Clifford Harrington (representing Sunbrook Wenatchee, Inc. ("Sunbrook"), the licensee of KYSN), concerning a difficulty in implementing the construction permit held by your client, Murray Broadcasting, for a new station in Leavenworth, WA on Channel 249A. You subsequently asked that the substance of the meeting be reduced to writing.

Briefly, by way of background, Murray Broadcasting's permit BPH-930423MF contained a condition which prevented the commencement of program test operations until KYSN had commenced operations on a new channel (Channel 266A). KYSN, in turn, was waiting to receive reimbursement for the frequency change from station KZLN-FM, Othello, WA, which was mandated as part of that station's upgrade to Class C1 in the Report and Order in MM Docket 91-114, 6 FCC Rcd 6476 (1991). To date, KZLN-FM has neither filed a construction permit application for Class C1 operation nor has it reimbursed Sunbrook for the costs of changing frequency from Channel 249A to Channel 266A, nor does it appear likely to do so in the near future. Until reimbursement is secured, KYSN remains on Channel 249A, indefinitely precluding the commencement of operations by Murray pursuant to its permit BPH-930423MF.

In the meeting, I suggested steps by which the reimbursement issue could be addressed and by which Murray could commence operations while waiting for the issue to be resolved. These are:

1. File a petition for rulemaking to propose that:
 - A. KZLN-FM be downgraded to a lesser class allotment, since it has not sought to implement the upgraded Class C1 allotment made in MM Docket 91-114, and since it has not fulfilled its reimbursement obligation to Sunbrook/KYSN. This would provide a forum in which to address the reimbursement question, since KZLN-FM would necessarily be made a party to any such rulemaking.
 - B. KYSN's allotment in East Wenatchee, WA be changed from Channel 266A to Channel 249A, which is the old channel on which KYSN continues to operate.
 - C. The Leavenworth, WA Channel 249A allotment be changed to Channel 266A, to accommodate Murray Broadcasting's permit on the new channel. As matters presently stand, were the East Wenatchee and Leavenworth channel changes to be made as suggested here (and KZLN-FM downgraded as suggested in A), both KYSN and construction permit BPH-930423MF would be fully spaced on the new channels in accordance with 47 CFR § 73.207.

I would suggest that the petition for rulemaking be submitted jointly by Sunbrook and Murray Broadcasting to show clearly that both parties support the proposal, although certainly either party may do so by itself.

2. Murray Broadcasting may request Special Temporary Authority to operate on Channel 266A in lieu of Channel 249A with the facilities specified in permit BPH-930423MF, pending the outcome of the rulemaking proceeding filed in Step 1 above. Upon grant of this authority by the staff, Murray Broadcasting would be able to commence operations immediately on Channel 266A, and would be able to file a FCC Form 302-FM application for license to cover permit BPH-930423MF (substituting Channel 266A for Channel 249A therein). This license application would necessarily be held in abeyance pending the outcome of the rulemaking; however, Murray Broadcasting could continue to operate on program test authority during this period. Processing on the license application would resume after the rulemaking was completed and final.

These procedures serve both Sunbrook's and Murray Broadcasting interests in that (1) KYSN may remain on its present channel pending the resolution of the reimbursement issue from KZLN-FM, and (2) Murray Broadcasting may commence operations promptly. Please note, however, that there can be no guarantee that the allotment changes will fall out as I have

outlined: the rulemaking may be altered by KZLN-FM or some other party with different interests which may lead to the allocation of these or different channels for KYSN in East Wenatchee, WA or Murray Broadcasting's permit BPH-930423MF in Leavenworth, WA, requiring future channel changes by one or both stations. Nevertheless, this appears to be the best approach to me to resolving the present conflict between KYSN and permit BPH-930423MF.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dale E. Bickel". The signature is fluid and cursive, with the first name "Dale" being the most prominent.

Dale E. Bickel
Supervisory Electronics Engineer
FM Branch
Audio Services Division
Mass Media Bureau

cc: Clifford M. Harrington
(Fisher, Wayland, Cooper and Leader)